

Minutes
Bar Harbor Town Council
January 20, 2009

- I. CALL TO ORDER** – 7:00 p.m. – In attendance were Councilors: Ruth Eveland, Robert Garland, Paul Paradis, Sandy McFarland, Julia Schloss, Greg Veilleux, Robert Jordan, Jr.; and Town Manager Dana Reed.
- A. Excused Absence(s)** - *None*
- II. APPROVAL OF MINUTES**
- A. *January 6, 2009 Regular Meeting*** – Councilor Eveland amended the date of January 4 to January 13 on page three.
- B. *January 13, 2009 Special Meeting***
- Mr. Paradis, with second by Mr. Veilleux, moved to approve to the minutes of the January 6, 2009 Regular Meeting as amended by Councilor Eveland and the January 13, 2009 Special Meeting as presented. Motion passed 7-0.
- III. ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Veilleux, moved to adopt the agenda as presented. Motion passed 7-0.
- IV. FINANCIAL STATEMENTS** – Mr. Paradis, with second by Mr. Veilleux, moved to accept and file the December 31, 2008 financial statements as presented by the Finance Director in his memo dated January 12, 2009. Motion passed 7-0.
- V. PUBLIC HEARINGS:** *(None Scheduled)*
- VI. REGULAR BUSINESS:**
- A. Water & Sewer Fee Commitment** – *Request of the Town Manager for commitment of water and sewer fees to the Town Treasurer for collection.* – Mr. Paradis, with second by Ms. Schloss, moved to sign the Certificate of Commitment for Water and Sewer Fees. Motion passed 7-0.
- B. AOS Budget Validation Referendum Warrant** – *Requires countersignature of municipal officers.* – Mr. Paradis, with second by Mr. Garland, moved to sign the AOS Budget Validation Referendum Warrant as presented. Motion passed 7-0.
- C. Planning Board** – *Application of Clyde Jardine for the open Planning Board seat expiring June 30, 2011.* - Councilor Schloss nominated Clyde Jardine for the open Planning Board seat with an expiring term of June 30, 2011. There being no further nominations, Council unanimously appointed Clyde Jardine.
- D. Committee Consultations** – *Discussion of current projects, future plans and any support needed from Town Council*

1. Design Review Board - Representation was absent.

- E. Barker Park** – *Recommendation of the Parks and Recreation Committee that the Town apply to receive a sculpture from the Schoodic Sculpture Symposium Committee, place the sculpture at Barker Park and seek private funding for the expenditure.* – Following discussion, Mr. Paradis, with second by Ms. Schloss, moved to apply for the opportunity to receive a sculpture to be situated in Barker Park through the Schoodic International Sculpture Symposium and that the \$8,000 be cost raised through private funding. Motion passed 7-0.
- F. Queen Victoria Cruise Ship Visit** – *Request of the Chamber of Commerce for closure of streets, etc. for celebration of an inaugural visit.* – Mr. Paradis, with second by Mr. Garland, moved to close Main Street from West Street up the hill to Cottage Street, and Cottage Street from the Corner of Main Street to Rodick Street to facilitate a celebration of the Queen Victoria's inaugural visit to Bar Harbor. The celebration will be sponsored by the Bar Harbor Chamber of Commerce and the street closure will be in effect from 9am to 4pm on September 30, 2009. Motion passed 7-0.
- G. Hulls Cove Neighborhood Association** – *Recommendation of the Town Manager that Council enter into an agreement with the Hulls Cove Neighborhood Association to permit Cooperating Agency funding.* – Following discussion, Mr. Paradis, with second by Mr. Jordan, moved that Council enter into an agreement with the Hulls Cove Neighborhood Association that the HCNA use the contribution exclusively for the maintenance of the old schoolhouse, and that the Hulls Cove Neighborhood Association continue to manage it, as it has in the past, for the benefit of the entire community. Included in this agreement shall be the clarification of the reversion clause asserting that this is a reversion and not a first right of refusal. Motion passed 7-0.
- H. Energy Audit** – *Report of the Public Works Director on Phase I.* – Public Works Director Chip Reeves gave an overview of the printed audit report.
- I. FY09 Budget Transfers** – *Request of the Manager for mid-year adjustment of appropriations.* – Mr. Paradis, with second by Mr. Garland, moved to order that the Treasurer record the FY09 budgetary transfers as noted in his memo dated January 14, 2009. Motion passed 7-0.

From: Contingency Account #1036-5906 \$46,871

To: Fire Dept Hydrant Rentals #1042-5510 \$24,235

To: Legal Services -Code #1018-5500 \$22,636

To utilize the remaining funds in the Contingency account to cover the higher legal costs and to cover the 17% rate increase for the last six months of the fiscal year for the public hydrant rentals.

From: Assessing Wages #1032-5105 \$14,029

To: FICA Benefits #1028-5200 \$3,029

To: ICMA Benefits #1028-5160 \$2,500

To: Health Ins. Opt Out #1028-5230 \$8,500

To transfer benefits originally budgeted in the Assessing cost center for Town Meeting as part of wages that belongs under the “benefits” cost center.

From: CIP Muni-Building Records Storage #2124-6143	\$20,862	
To: CIP Muni-Building Renovations #2124-6130		\$20,862
From: CIP Harbor Floats #2153-6252	\$18,750	
From: CIP Unallocated #2182-6190	\$21,463	
To: CIP Pier Renovations #2153-6266		\$10,213
To: CIP Glen Mary Renovations #2159-6332		\$30,000

The above CIP transfers are reflected in the FY2010 budget work papers either as transfers for residual unspent monies or funds needed from the CIP unallocated account to cover projected overspending in the Pier and Glen Mary renovations projects. The auditors prefer a formal vote even though these may be reflected in the CIP budget book.

- J. FY10 Budget** – *Introduction of the budget by the Town Manager* – The Town Manager Dana Reed gave a summary of his budget message as presented for the proposed FY10 Budget.
- K. Tax Abatement** – *Request of the Town Manager for write-off of uncollectable personal property taxes.* – Mr. Paradis, with second by Mr. Veilleux, moved to abate Personal Property Taxes deemed uncollectable as listed in the Tax Collector’s memo dated January 12, 2009. Motion passed 7-0.
- L. Land Use Ordinance Amendments: June 2009** – :
- 1. Signage and Design Review Board Jurisdiction** – *Approval of language for the draft Council Order placing this ordinance on the June Town Meeting ballot.* – Following discussion, Mr. Paradis, with second by Ms. Schloss, moved to thank the Design Review Board for their hard work on this ordinance. Motion passed 7-0.
 - 2. Wind Turbines** – *Progress report.* – Planning Director Anne Krieg reported that work is continuing on the Wind Turbines ordinance and will be complete for the November election.
- M. Water Division Rules and Responsibilities** – *Request of the Public Works Director for adoption of customer regulations.* – Public Works Director Chip Reeves gave a summary of the regulations as presented in the proposed pamphlet. Mr. Paradis, with second by Mr. Garland, moved to adopt the Bar Harbor Water Division Rights and Responsibilities document as presented. Motion passed 7-0.
- N. Treasurer’s Warrant** – *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Ms. Schloss, moved to sign the Treasurer’s Warrant for paid bills. Motion passed 7-0.

VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

Mr. Garland commented that the latest Town Hill neighborhood meeting is moving in a positive direction. People seem to be getting used to change coming.

Ms. Schloss stated that she generally does not comment on politics, but that the new President speaks in a positive way and brings hope to the future.

Mr. Veilleux thanked Leland Moore for the energy audit and complimented him on a nice job.

Mr. Jordan thanked the public works crew for the good snow removal job on the streets and sidewalks.

Ms. Eveland reminded everyone that a copy of the Hancock County final budget is available in the Town Clerk's office. She also reminded everyone of the Council budget meetings starting at 5:00 p.m. on Thursday, January 22; Tuesday, January 27; and Thursday, January 29. She encouraged people to come and watch the discussion.

VIII. MATTERS FOR POSSIBLE EXECUTIVE SESSION:

A. Town Manager's Contract Renewal – *(To be held in executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter.)* – At 9:06 p.m., Mr. Paradis, with second by Mr. Veilleux, moved to enter into executive session, following a break, as permitted by 1MRSA 405.6.A for discussion or consideration of a personnel matter. Motion passed 7-0. Council entered into executive session at 9:13 p.m. Council came out of executive session at 9:26 p.m.

IX. ADJOURNMENT – Mr. Paradis, with second by Ms. Schloss, moved to adjourn at 9:26 p.m. Motion passed 7-0.

Paul Paradis, Secretary